

Message Text

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S E C R E T SECTION 1 OF 2 ANKARA 2639

E.O. 11652: XGDS-3 INDEF.

TAGS: MARR, TU

SUBJ: IA NEGOTIATIONS MEETING APRIL 3, 1974:

COMMUNICATIONS AND ELECTRONICS

REF: A. ANKARA 2382; B. ANKARA 2194

SUMMARY: AT IA NEGOTIATION MEETING APRIL 3, 1974, TURKS
HANDED U.S. DRAFTS OF ARTICLES 5 AND 9 COMMUNICATIONS AND
ELECTRONICS IA (C&E) (TEXTS FOLLOW BELOW). U.S. AGREED TO
CONSIDER THEM AND RESPOND BY NEXT IA MEETING. EACH SIDE
REITERATED PREVIOUSLY REPORTED POSITIONS ON ISSUES OF JOINT
OPERATIONS AND USE OF COMMUNICATIONS AND COMMUNICATIONS "TO,
WITHIN AND FROM" TURKEY. TURKS INDICATED READINESS TO TAKE
UP ARTICLE 7. U.S. INSISTED ON TURKISH AGREEMENT DISCUSS
ART. 6 BEFORE TAKING ART. 7 AND HANDED TURKS COPIES JULY-
AUGUST 1971 TGS-JUSMMAT CORRESPONDECCE ON STATUS OF IAS
WHICH SHOWED ARTS. 5, 6, 7, 9 AND 14 OPEN. TURKS AGREED REVIEW
QUESTION OF OPEN ARTICLES. END SUMMARY

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1. AT IA MEETING APRIL 3, 1974, TURKISH CHAIRMAN (ASST. DIRGEN INT'L SECURITY AFFAIRS ASULA) HANDED U.S. NEW DRAFTS FOR C&E ARTS. 5 AND 9. U.S. CHAIRMAN (MSA COUNSELOR BOEHM) SAID HE WOULD RESPOND TO THEM AT NEXT IA MEETING. QUOTE ART. 5- THE PURPOSE OF THE COMMUNICATIONS-ELECTRONICS COMMON DEFENSE INSTALLATIONS AND OPERATIONS ESTABLISHED IN ACCORDANCE WITH THIS IMPLEMENTING AGREEMENT IS SHOWN BELOW AND THE COMMUNICATIONS-ELECTRONICS INSTALLATIONS AND OPERATIONS WILL NOT BE USED FOR ANY PURPOSE OTHER THAN THE ONE DESIGNATED IN THIS IMPLEMENTING AGREEMENT UNLESS OTHERWISE MUTUALLY AGREED AND APPROVED BY THE GOVERNMENT OF THE REPUBLIC OF TURKEY. THE PURPOSE IS TO ENSURE ADEQUATE COMMUNICATIONS IN SUPPORT OF COMMON DEFENSE MEASURES IN TURKEY. THESE INSTALLATIONS AND OPERATIONS ARE SUBJECT TO THE PRINCIPLE OF JOINT OPERATION AND USE IN ACCORDANCE WITH THE AGREEMENT. UNQUOTE QUOTE ART. 9- THE EXTENT OF THE COMMUNICATIONS-ELECTRONICS COOPERATION ENVISAGED IN THIS IMPLEMENTING AGREEMENT INCLUDES PERMISSION FOR THE GOVERNMENT OF THE UNITED STATES TO ESTABLISH, MAINTAIN AND OPERATE IN TURKEY THE COMMUNICATIONS-ELECTRONICS INSTALLATIONS PROVIDED FOR HEREIN AND DEFINED IN MORE DETAIL IN SEPARATE ANNEXES HERETO. THE EXTENT OF COMMUNICATIONS-ELECTRONICS COOPERATION INCLUDES THE FOLLOWING: A. THE INSTALLATIONS AND FACILITIES LISTED IN THIS AGREEMENT IN PRINCIPLE, ARE SUBJECT TO THE INSPECTION OF THE COMPETENT AUTHORITY OF THE GOVERNMENT OF THE REPUBLIC OF TURKEY. THE NUMBER, RANK AND TITLE OF TURKISH AND UNITED STATES MILITARY AND CIVILIAN PERSONNEL WHOSE ADMITTANCE TO THE COMMON DEFENSE INSTALLATION IS NECESSARY FOR THE PERFORMANCE OF THEIR OFFICIAL DUTIES SHALL BE DESIGNATED BY THE COMPETENT AUTHORITIES OF THEIR RESPECTIVE GOVERNMENTS. AS FOR THE INSPECTION OF CRYPTOGRAPHIC EQUIPMENT AND MATERIAL, THE COMMON NATO RULES AND REGULATIONS RELATING THERETO SHALL APPLY. AGREED MINUTE-THE INSPECTIONS IN QUESTION WILL BE MADE ON THE BASIS OF MUTUALLY SATISFACTORY ADMINISTRATIVE ARRANGEMENTS BETWEEN THE COMPETENT AUTHORITIES OF THE PARTIES. AS FOR VISITING CERTAIN AREAS RESERVED FOR CRYPTO EQUIPMENT AND MATERIALS WITHIN COMMON DEFENSE INSTALLATIONS, THE PARTIES SHALL RESPECT EACH OTHER'S NATIONAL RULES AND REGULATIONS. B. SECURITY MEASURES AS PROVIDED IN THE TURKISH AND U.S. GARRISON COMMANDERS IMPLEMENTING AGREEMENT. . C. THE COMMUNICATIONS - ELECTRONICS ACTIVITIES OF THE COMMON DEFENSE

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INSTALLATIONS SHOULD NOT INTERFERE WITH THE ACTIVITIES OF OTHER TURKISH AND NATO COMMUNICATIONS-ELECTRONICS ACTIVITIES. SHOULD INTERFERENCE OCCUR, U.S. WILL TAKE ALL NECESSARY MEASURES TO ELIMINATE SUCH INTERFERENCE. SHOULD HARMFUL FREQUENCY INTERFERENCE OCCUR AS A RESULT OF MODERNIZATION, STREAMLINING AND CHANGES IN COMMON DEFENSE COMMUNICATIONS-ELECTRONICS INSTALLATIONS AND OPERATIONS IN ACCORDANCE WITH THE PERTINENT ARTICLES OF THIS AGREEMENT, ALL NATO AND TURKISH COMMUNICATIONS

INSTALLATIONS AND SYSTEMS WILL BE GIVEN PRIORITY FOR CONTINUING THEIR ACTIVITIES UNTIL A FINAL SOLUTION IS FOUND ON SUCH HARMFUL INTERFERENCES. IN CASE OF THE HARMFUL INTERFERENCE CAUSED BY COMMON DEFENSE INSTALLATIONS CANNOT BE ELIMINATED THROUGH THE MEASURES TO BE TAKEN, THE LOCATION OF THIS INSTALLATION WILL BE CHANGED OR ITS ACTIVITY WILL BE ENDED. D. IN THE SYSTEMS WHICH ARE JOINTLY USED, U.S. TERMINAL ENDS WILL BE OPERATED BY THE U.S. FORCES, AND THE TURKISH TERMINAL ENDS BY THE TURKISH FORCES. TO INSURE CONTINUOUS OPERATION OF THE JOINTLY USED CIRCUITS, A COMMITTEE COMPOSED OF PERSONNEL DESIGNATED BY TGS AND JUSMMAT WILL BE FORMED TO ESTABLISH AND CONTROL OPERATION AND MAINTENANCE PROCEDURES AND TO SOLVE PROBLEMS. THE CIRCUITS MADE AVAILABLE TO THE TURKISH ARMED FORCES WILL BE MAINTAINED AT AN OPERATIONAL QUALITY AND AVAILABILITY LEVEL EQUAL TO THE U.S. CIRCUITS. E. THE LINK RELATED TO THE COMMUNICATION-ELECTRONICS SERVICES FROM THE TECHNICAL CONTROL POINTS OF THE U.S. INSTALLATIONS AND SYSTEMS EXTENDED TO THE INSTALLATIONS AND UNITS OF THE TURKISH ARMED FORCES AS ENVISAGED AT THE ANNEXES OF THE INSTALLATIONS IN DETAIL AND QUANTITY; THE MULTIPLE APPARATUS, THE LINK AND TERMINAL MATERIAL EXTENDED TO THE USER, MAINTENANCE EQUIPMENT RELATED TO OPERATION AND UPKEEPING WILL BE SUPPLIED BY U.S. AND ALL SORTS OF EQUIPMENT IN TURKISH TERMINAL ENDS WILL BE THE PROPERTY OF THE TURKISH GOVERNMENT. WHENEVER AN APPROVED MODERNIZATION WILL TAKE PLACE IN COMMON COMMUNICATIONS-ELECTRONICS INSTALLATIONS, THE EQUIPMENT IN THE TURKISH TERMINAL LINKED TO THESE INSTALLATIONS WILL ALSO UNDERGO MODERNIZATION. UNQUOTE

2. TURKS PROPOSED CONTINUING DISCUSSION ON PRINCIPLES INVOLVED IN ART. 5 OR TAKING UP ART. 7. U.S. STATED THAT WE WOULD NOT AGREE TO TAKE UP ART. 7 WITHOUT TURKISH AGREEMENT TO TAKE UP ARTS. 6 AND 14. U.S. HANDED TURKS COPIES JUSMMAT-TGS CORRESPONDENCE OF JULY-AUGUST 1971 WHICH SHOWED THAT ARTS. 7 AND 9 HAD BEEN OPEN; THAT TGS WITHDREW AGREEMENT TO ART. 7 NAD SECRET

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WASHINGTON WITHDREW AGREEMENT TO ARTS. 6 AND 14. PARTIES AT TIME HAD EVERY RIGHT TO DO THIS AS ALL AGREEMENTS HAD BEEN AD REFERENDUM. TURKS AGREED TO REVIEW CORRESPONDENCE ON STATUS OPEN ARTICLES.

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ACTION NEA-12

INFO OCT-01 ISO-00 CIAE-00 EUR-25 PM-07 INR-10 L-03 PA-04

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3. ARTICLE 5- "TO, WITHIN AND FROM": TURKISH CHAIRMAN, TAKING UP DISCUSSION FROM LAST MEETING, CONTINUED TO ARGUE AGAINST U.S.-DESIRED WORDS, "TO, WITHIN AND FROM", STATING THAT COMMUNICATIONS LINKS WERE A MATTER TO BE DEALT WITH IN ANNEXES, NOT IN PURPOSE ARTICLE OF MAIN TEXT. U.S. AGAIN SUGGESTED A FORMULA INVOLVING GENERAL LANGUAGE IN THE MAIN TEXT REFERENCING AN ANNEX WHERE DETAILS OF THE OUT-OF-COUNTRY LINKS WOULD BE SET FORTH. C(COMMENT: WE WILL PROPOSE LANGUAGE.)

4. ARTICLE 5- "WITH SPECIFIC ATTENTION TO THE REQUIREMENTS OF NATO" AND "U.S. COMMUNICATIONS": TURKS REPEATED PROPOSAL TO DELETE REFERENCES TO U.S. AND TO NATO FROM ARTICLE. AFTER SOME DISCUSSION U.S. AGREED TO DELETION REFERENCE TO NATO PROVIDED REFERENCE TO U.S. RETAINED. TURKS ACCEPTED.

5. ARTICLE 5-"TO THIS END,..." TURKISH DRAFT FOR ART. 9 INCORPORATES IN FIRST PARA, FINAL CLAUSE OF 1971 DRAFT ART. 5. U.S. AS PRELIMINARY REACTION, NOTED NO PROBLEM IN MOVING CLAUSE FROM ART. 5 TO ART. 9, BUT EXPRESSED SOME RESERVATION
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ON OTHER ASPECTS OF PROPOSED FIRST PARAGRAPH. "THOSE TYPES OF COMMUNICATIONS-ELECTRONICS INSTALLATIONS" IN 1971 DRAFT HAD BEEN CHANGED TO "THE COMMUNICATIONS-ELECTRONICS..." TURKS MAINTAINED THEY HAD NO HIDDEN MOTIVATION FOR DROPPING "THOP TYPES OF": THEIR ONLY AIM WAS TO BE MORE PRECISE. U.S.

RESERVED FURTHER COMMENT ON ENTIRE PROPOSED ART. 9 PENDING FURTHER STUDY.

6. PRINCIPLE OF JOINT OPERATIONS AND USE: U.S. REITERATED POSITION THAT LANGUAGE OF PARA 3, ART. 14 OF SINOP FORMULA, AS ADOPTED FOR C&E , WAS SUFFICIENT EXPRESSION OF CONCEPT JOINT OPERATIONS AND USE. TURKS INDICATED THEIR ACCEPTANCE SINOP MODEL ART. 14 FOR C&E BUT STATED THAT ART. 14 EALT ONLY WITH O&M COSTS FOR CDIS WHEREAS TURKISH POSITION ON JOINT OPERATIONS AND USE WENT BEYOND THAT AND THUS ADDITIONAL LANGUAGE NEEDED TO BE INCORPORATED EITHER IN ART. 5 OR 9. TURKISH CHAIRMAN OFFERED TO OUTLINE AT NEXT MEETING OT POSITION ONEXTENT THAT CONCEPT OF JOINT OPERATIONS AND USE SHOULD APPLY TO C&E. U.S. CHAIRMAN INDICATED THAT HE WAS ALWAYS READY TO LISTEN TO TURKISH EXPOSITION BUT WARNED THAT THERE WAS LITTLE LIKELIHOOD OF HIS POSITION ON JOINT OPERATIONS AND USE BEING CHANGED BY TURKISH ARUGMENTS. U.S. CHAIRMAN SAID HE WAS NOT EMPOWERED TO TAKE UPON HIMSELF AUTHORITY OF U.S. CONGRESS TO APPROPRIATE MILITARY ASSISTANCE FUNDS.

7. COMMENT: WASHINGTON VIEWS ON DEVELOPMENTS IN C&E NEGOTIATIONS SO FAR REPORTED THIS TEL AND REFTELS WOULD BE WELCOME
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